

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-46 are pending in the present application. Claims 14-44 are withdrawn from consideration. Claims 1, 45, and 46 are the independent claims.

Claim 2 has been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 45, and 46 have been amended. No new matter is believed to have been added.

Miscellaneous Matters

1. Request for Acknowledgement of Assertion of the Presence of Generic Claims and for Confirmation of Same

The Office Action acknowledges Applicants' election of Species I with traverse. However, in Applicants' Response to Election of Species Requirement filed April 14, 2006, Applicants asserted that claims 1, 45, and 46 are generic to all alleged species. However, the Office Action is silent as to this assertion. Accordingly, Applicants respectfully request that the Office address whether claims 1, 45, and 46 are generic.

2. Contention that Documents Cited by Applicants are "Acknowledged Prior Art"

The Office Action contends, erroneously, that the documents cited in Information Disclosure Statements (IDS) filed in the subject application are "acknowledged prior art." This characterization is manifestly incorrect and without basis in fact. Firstly, compliance with Applicants' duty of disclosure, as defined by U.S. Patent Office Rules, is independent of whether a cited document is prior art. Secondly, a review of the last paragraph of the IDSs filed in the subject application affirm this fact. Indeed, this paragraph states:

No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made

Traversals

Claims 1-3, 5-7, 13, 45, and 46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JP 8-211317 (Hori) in view of U.S. Patent No. 6,118,238 (Munro et al.). Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hori in view of Munro et al. and further in view of KR 2002-0033922 (Choi et al.). Claims 8-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hori in view of Munro et al. and further in view of U.S. Patent No. 5,430,362 (Carr et al.). All rejections are respectfully traversed.

Independent claims 1, 45, and 46 recites, inter alia, a laser scanning unit with a motor drive chip mounted on a main printed circuit board of a printing machine with which a laser scanning unit is used.

However, Applicants respectfully submit that none of the asserted citations teaches or suggests at least the aforementioned features of independent claims 1, 46, and 47. Thus, without conceding the propriety of the asserted combinations, the asserted combinations are likewise deficient.

It is to be appreciated that independent claims 1, 45, and 46 have been amended to recite features based on cancelled claim 2.

The primary citation to Hori relates to an optical deflection scanner and discusses a scanner including a casing 11 enclosing a motor 13. The casing is covered by a cap consisting of an electrical circuit board 17 on which an integrated circuit (IC) controlling the motor is formed. (Hori; Abstract; FIG. 1).

The Office Action contends that the IC is a motor drive chip. (Office Action, page 3). The Office Action also contends that the motor drive chip is mounted on a main circuit board of a printing machine. (Office Action, page 4). This latter contention is respectfully traversed.

As FIG. 1 of Hori illustrates, the IC is on the top of the casing enclosing the motor. Thus, the alleged motor drive chip is mounted on the casing. And, because the Hori IC is mounted on the casing, Hori cannot meet at least the aforementioned features of independent claims 1, 45, and 46. That is, the Hori IC is mounted on the casing. Further, it is respectfully submitted that Hori actually teaches away from the present invention as recited in claims 1, 45, and 46.

The secondary citation to Munro et al. relates to a motor starting apparatus for an engine driven generator and is cited for various features of various dependent claims. Applicants

respectfully submit that Munro et al. adds nothing that would remedy the aforementioned deficiency of Hori.

Accordingly, favorable reconsideration and withdrawal of the rejection of claims 1-3, 5-7, 13, 45, and 46 under 35 U.S.C. § 103 are respectfully requested.

Regarding the rejection of claims 4 and 8-12 under § 103, Choi et al. and Carr et al. respectively relate to a method of fabricating a display package using in a head mounting visual display and an engine starting system utilizing multiple controlled acceleration rates. Applicants respectfully submit that neither Choi et al. nor Carr et al. add anything that remedies the aforementioned deficiency in the combination of Hori and Munro et al.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 9-27-02

By: Michael E. Kondoudis
Michael E. Kondoudis
Registration No. 42,758

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501